

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 12, 2020**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES DEAN CLOUD (01) and  
DONOVAN QUINN CARTER  
CLOUD (02),

Defendants.

No. 1:19-cr-02032-SMJ-1  
1:19-cr-02032-SMJ-2

**ORDER GRANTING  
GOVERNMENT'S PROPOSED  
PROTECTIVE ORDER AND  
DENYING DEFENDANT'S  
PROPOSED PROTECTIVE  
ORDER**

On November 2, 2020, the Court entered an Order memorializing the October 27, 2020 status conference in this case. ECF No. 230. In that Order,

[t]he Court granted Defendants' motion for unredacted discovery, with the caveat that defense counsel does not provide, discuss, or otherwise disclose any of the witnesses' identities to Defendants or others who are not members of the defense team, or provide, discuss, or disclose any unredacted personal or contact information of witnesses to Defendants or others who are not members of a defense team.

*Id.* at 2. The Court ordered the parties to confer and provide the Court with an agreed proposed protective order. *Id.* The Court advised, if the parties cannot agree, to indicate that disagreement, and the Court would resolve any remaining redaction related issues. *Id.* at 2–3.

1 The parties conferred but could not agree on the terms of a proposed  
2 protective order. *See generally* ECF Nos. 236, 237. Defense counsel wishes to  
3 immediately share the unredacted discovery *in toto* with their clients subject to  
4 certain conditions. *See* ECF No. 237. The Government's proposed protective order  
5 would allow defense counsel to share the unredacted discovery with their clients  
6 two weeks prior to trial. ECF No. 236 at 2. The Court already determined defense  
7 counsel shall not provide, discuss, or otherwise disclose the redacted information  
8 with their clients in order to safeguard potential government witnesses. *See* ECF  
9 No. 230 at 2. The Court finds the Government's proposed protective order reaches  
10 the middle ground the Court envisioned, striking the appropriate balance between  
11 the right to prepare a defense while at the same time protecting the safety of  
12 potential government witnesses. *Contra* ECF No. 157 (denying motion for  
13 unredacted discovery due to concerns for witness safety).

14 Accordingly, **IT IS HEREBY ORDERED:**

15 1. Defendants James Dean Cloud (2) and Donovan Carter Cloud's (02)  
16 joint Defense Motion and Memorandum in Support of Defense  
17 Proposed Protective Order, **ECF No. 237**, is **DENIED**.

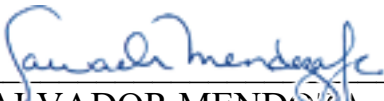
18 2. The United States' Motion for Discovery Protective Order, **ECF No.**  
19 **236**, is **GRANTED**.

20 //

3. Under Federal Rule of Criminal Procedure 16(d)(1), and for good cause, the Government's Proposed Discovery Protective Order, **ECF No. 236-1**, is **APPROVED, ADOPTED, and INCORPORATED** in this Order by reference.

**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide copies to all counsel.

**DATED** this 12<sup>th</sup> day of November 2020.

  
\_\_\_\_\_  
SALVADOR MENDOZA, JR.  
United States District Judge